



IFW 2131 #

<u>AMENDMENT TRANSMITTAL</u>		<u>PATENT</u>
<p>Application No.: <u>09/895,353</u> Filing Date: <u>June 29, 2001</u> First Named Inventor <u>Avery IV, et al.</u> Examiner's Name: <u>Chen, Shin Hon</u> Art Unit: <u>2131</u> Attorney Docket No.: <u>4609.P002X</u></p>		
<p><input type="checkbox"/> An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action. <input checked="" type="checkbox"/> Charge any fee not covered by any check submitted to Deposit Account No. 02-2666. <input type="checkbox"/> Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666. <input type="checkbox"/> Applicant(s) claim small entity status (37 CFR 1.27).</p>		
<p><b>ATTACHMENTS</b></p> <p><input type="checkbox"/> Preliminary Amendment <input checked="" type="checkbox"/> Amendment/Response with respect to Office Action <input type="checkbox"/> Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal) <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> RCE (Request for Continued Examination) <input type="checkbox"/> Supplemental Declaration <input checked="" type="checkbox"/> Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record) <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> Copies of IDS citations <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Fee Transmittal Document (that includes a fee calculation based on the type and number of claims) <input type="checkbox"/> Cross-Reference to Related Application(s) <input type="checkbox"/> Certified Copy of Priority Document <input checked="" type="checkbox"/> Other: <u>Three (3) signed Declarations Under 37 C.F.R. § 1.131, Exhibit A – Amended Claims, Exhibit B – Office Action dated January 19, 2005, and Exhibit C – Equinix Invoices</u> <input type="checkbox"/> Other: _____ <input checked="" type="checkbox"/> Check(s) <input checked="" type="checkbox"/> Postcard (Return Receipt)</p>		
<p><b>SUBMITTED BY:</b></p> <p>BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP TYPED OR PRINTED NAME: <u>Thomas S. Ferrill</u> SIGNATURE: <u>Thomas S. Ferrill</u> REG. NO.: <u>42,532</u> DATE: <u>5-18-05</u> ADDRESS: <u>12400 Wilshire Boulevard, Seventh Floor</u> <u>Los Angeles, California 90025</u> TELEPHONE NO.: <u>(408) 720-8300</u></p>		
<p><b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on <u>May 18, 2005</u></p>		
<p><u>Deborah A. McGovern</u> <u>D. McGovern</u> Signature</p>		<p>Date of Deposit <u>May 18, 2005</u> Name of Person Mailing Correspondence <u>Deborah A. McGovern</u> Date</p>
<p>Express Mail Label No. (if applicable): _____</p>		

(10/14/03)

**Send to:** COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450



## FEE TRANSMITTAL FOR FY 2005

(FY 2005 Begins 10/01/2004. Fee changes made on 11/22/04 and 12/08/04 are included.)

**TOTAL AMOUNT OF PAYMENT (\$)** 120.00

\$250.00 fm

Complete if Known:

Application No. 09/895,353  
 Filing Date June 29, 2001  
 First Named Inventor Avery IV, et al.  
 Examiner Name Chen, Shin Hon  
 Art Unit 2131  
 Attorney Docket No. 4609.P002X

Applicant claims small entity status. See 37 CFR 1.27.

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Charge fee(s) indicated below except for the filing fee

### FEE CALCULATION

#### 1A. BASIC FILING FEE/SEARCH FEE/EXAMINATION FEE

Large Entity		Small Entity		<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility application filing fee	<u>1,000/500*</u>
1111	500	2111	250	Utility search fee	
1311	200	2311	100	Utility examination fee	
1012	200	2012	100	Design application filing fee	<u>430/215*</u>
1112	100	2112	50	Design search fee	
1312	130	2312	65	Design examination fee	
1013	200	2013	100	Plant filing fee	<u>660/330*</u>
1113	300	2113	150	Plant search fee	
1313	160	2313	80	Plant examination fee	
1004	300	2004	150	Reissue filing fee	<u>1,400/700*</u>
1114	500	2114	250	Reissue search fee	
1314	600	2314	300	Reissue examination fee	
1005	200	2005	100	Provisional application filing fee	_____

**SUBTOTAL (1) \$0.00**

\* List the filing, search, and examination fees separately, but pay concurrently.

**1B. APPLICATION SIZE FEE**

Total Sheets	- 100 =		Extra Sheets /50 =	Fee from below * X \$250.00	Fee paid
			*(round up to integer)		

**Large Entity      Small Entity**

**Fee      Fee**

**Code      (\$)**

**1081      250**

**Fee      Fee**

**Code      (\$)**

**2081      125**

**Fee Description**

**Utility application size fee for each additional group of 50 sheets beyond initial 100 sheets**

(count spec & drawings except sequences & program listings)

**1082      250      2082      125**

**Design application size fee for each additional group of 50 sheets beyond initial 100 sheets**

(count spec & drawings except sequences & program listings)

**1083      250      2083      125**

**Plant application size fee for each additional group of 50 sheets beyond initial 100 sheets**

(count spec & drawings except sequences & program listings)

**1084      250      2084      125**

**Reissue application fee for each additional group of 50 sheets beyond initial 100 sheets**

(count spec & drawings except sequences & program listings)

**SUBTOTAL (2) \$ 0**

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	24	- 24** =	Extra Claims	Fee from below	Fee Paid
Independent Claims	2	- 3** =	X \$50.00	= 0	
Multiple Dependent			X \$200.00	= 0	
				=	

\*\*Or number previously paid, if greater; For Reissues, see below.

**Large Entity      Small Entity**

**Fee      Fee**

**Code      (\$)**

**1202      50**

**Fee      Fee**

**Code      (\$)**

**2202      25**

**Fee Description**

**Claims in excess of 20**

**1201      200**

**2201      100**

**Independent claims in excess of 3**

**1203      360**

**2203      180**

**Multiple dependent claim, if not paid**

**1204      200**

**2204      100**

**\*\*Reissue independent claims over original patent**

**1205      50**

**2205      25**

**\*\*Reissue claims in excess of 20 and over original patent**

**SUBTOTAL (3) \$ 0**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<b>Large Entity</b>		<b>Small Entity</b>			
Fee	Fee	Fee	Fee	<b>Fee Description</b>	<b>Fee Paid</b>
Code	(\$)	Code	(\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	120.00
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive – unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1464	130	1460	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1463	200	1460	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1462	400	1460	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	130
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (4) \$ 120.00

14-05

**SUBMITTED BY:**

Typed or Printed Name: Thomas S. Ferrill

Signature: Thomas S. Ferrill Date: 5-18-05

Reg. Number: 42,532 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450